

# City Council Agenda

Council President  
Lee Brand

Councilmembers

Oliver L. Baines III  
Andreas Borgeas  
Clinton J. Olivier - Acting President

Sal Quintero  
Larry Westerlund  
Blong Xiong

City Manager  
Mark Scott

City Clerk  
Rebecca E. Klisch, CMC

City Attorney  
James C. Sanchez

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

The City Council welcomes you to the Council Chambers, located in City Hall, 2<sup>nd</sup> Floor, 2600 Fresno Street, Fresno CA 93721.

**May 19, 2011**

**9:00 A.M. ROLL CALL**

Invocation

Pledge of Allegiance to the Flag

**Ceremonial Presentations:**

Proclamation of "**AMERICORPS WEEK**" – Councilmember Xiong – **Read and presented**

Proclamation of "BRINGING BROKEN NEIGHBORHOODS BACK TO LIFE DAY" – Councilmember Baines – **Read and presented**

Proclamation of "CALIFORNIA STATE UNIVERSITY, FRESNO'S CENTENNIAL COMMENCEMENT CEREMONY" – Mayor's Office – **Read and presented**

**ROCESS:** For each matter considered by the Council there will first be a staff presentation followed by a presentation from the involved individuals, if present. Testimony from those in attendance will then be taken. All testimony will be limited to three minutes per person. If you would like to speak fill out a Speaker Request Form available from the City Clerk's Office and in the Council Chambers. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker.

The green light on the podium will be turned on when the speaker begins. The yellow light will come on with one minute remaining. The speaker should be completing the testimony by the time the red light comes on and tones sound, indicating that time has expired. A countdown of time remaining to speak is also displayed on the large screen behind the Council dais.

Following is a general schedule of items for Council consideration and action. The City Council may consider and act on an agenda item in any order it deems appropriate. Actual timed items may be heard later but not before the time set on agenda. Persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure their presence when the item is called.

Approve Council minutes of May 12, 2011

**Action Taken:** Approved

Councilmember Reports and Comments

**Action Taken:** Made

Approve Agenda

**Action Taken:** Approved

Adopt Consent Calendar

**Action Taken:** Adopted

1. **CONSENT CALENDAR**

All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered.

- A. Approve an extra-territorial service and offsite infrastructure agreement between Sanger Unified School District and City of Fresno contingent upon final approval of Sanger Unified School District's extension of services application with LAFCO – Department of Public Utilities  
**Action Taken:** Discussed and referred back to staff to meet with Sanger Unified School District on issues

- B. Approve the Environmental Finding of a Finding of Conformity for Environmental Assessment No. EA-10-11 dated April 16, 2010, concluding the Willow Avenue widening project is fully within the scope of the Master Environmental Impact Report (MEIR 10130) and Mitigated Negative Declaration for Plan Amendment A-09-02 (Air Quality MND) – Public Works Department

**Action Taken:** Approved

1. Approve acquisition of public easements from portions of two (2) parcels owned by the trustees of the California State University for the widening of Willow Avenue to a six-lane arterial from Barstow Avenue to Escalon Avenue and authorize execution of documents

***(Property is located in District 4)***

**Action Taken:** Approved

- C. Adopt Findings of a Categorical Exemption pursuant to CEQA guidelines 15303 (new construction or conversion of small structures), 15332 (in-fill development projects) and 15304 (minor alterations to land) ***(Property located in Districts 2 & 7)*** – Public Works Department

**Action Taken:** Adopted

1. Award a construction contract with Lockwood Engineering, Inc. in the amount of \$250,866.41 for the construction of pedestrian facilities on Bullard from Del Mar to Glenn, Cedar from McKinley to Belmont, and Shaw from Palm to West ***(Property located in Districts 2 & 7)***

**Action Taken:** Awarded

- D. Adopt Findings of a Categorical Exemption pursuant to CEQA Guidelines 15303 (new construction or conversion of small structures), 15332 (in-fill development projects) and 15304 (minor alterations to land) ***(Property located in Districts 6 & 7)*** – Public Works Department

**Action Taken:** Adopted

1. Award a construction contract with Dave Christian Construction Company, Inc. in the amount of \$163,039.56 for the construction of pedestrian facilities on Olive from Webster to Fresno and Cedar from Fir to Alluvial ***(Property located in Districts 6 & 7)***

**Action Taken:** Awarded

**1. CONSENT CALENDAR CONTINUED**

- E. **RESOLUTION** - Of intention to annex a portion of Final Tract No. 5838, Annexation No. 43, to City of Fresno Community Facilities District No. 11 (CFD No. 11) (*Property located in District 6) (north side of Copper River Dr. between Cedar and Maple Avenues)*; and setting the hearing for 6/16/2011 at 10:00 A.M. – Public Works Dept.  
**Action Taken:** Resolution No. 2011-90 adopted
- F. **BILL – (For Introduction)** - Amendment to Subsection (a) of Sections 7-504 and 7-505 of the Fresno Municipal Code relating to local sales and use taxes, pursuant to the Memorandum of Understanding (MOU) with Fresno County– Finance Department  
**Action Taken:** Bill No. B-16 introduced/laid over

**CONTESTED CONSENT CALENDAR**

**SCHEDULED COUNCIL HEARINGS AND MATTERS**

**9:15 A.M. GENERAL ADMINISTRATION**

- A. Authorize the Interim Director of the Development and Resource Management Department to expand the professional services agreement with the firm of Dyett & Bhatia Urban and Regional Planners approved by City Council August 19, 2010 to include an additional amount not to exceed \$700,000 to complete the technical studies related to the Fresno 2035 General Plan and development code update as approved and funded by the City's grant award from Proposition 84 administered by the California Strategic Growth Council – Development and Resource Management Dept.  
**Action Taken:** Discussed and continued one week

**9:30 A.M. CITY COUNCIL**

- A. **RESOLUTION** – Supporting the California Air Resource Board's efforts to promote clean and energy efficient motor vehicles, energy independence, zero emission technologies and improve quality of life in California – Councilmember Xiong  
**Action Taken:** Resolution No. 2011-91 adopted

**10:45 A.M. HEARING** to consider Plan Amendment Application No. A-11-01, Rezone Application No. R-11-01, and environmental findings, filed by Joseph Guagliardo of Comprehensive Planning Associates on behalf of the United States Postal Service, pertaining to approximately 2.78 acres of property located on the south side of E. Nees Avenue between N. First and N. Bond Streets. (*Property located in District 6*) – Development and Resource Management Department

**Action Taken:** Held

- a. Consider and adopt the environmental finding of a Mitigated Negative Declaration prepared for Environmental Assessment No. A-11-01/R-11-01/C-11-008  
**Action Taken:** Adopted
- b. **RESOLUTION** - Amending the 2025 Fresno General Plan and Woodward Park Community Plan to change the planned land use designation for the subject property from the public facility – middle & elementary school planned land use designation to the community commercial planned land use designation  
**Action Taken:** Resolution No. 2011-92 adopted
- c. **BILL**—Amending the Official Zone Map to rezone the subject property from the R-A/UGM (*Residential and Agricultural District/Urban Growth Management Area*) to the C-2/UGM (*Community Shopping Center District/Urban Growth Management Area*) zone district  
**Action Taken:** Bill No. B-17/Ordinance No. 2011-15 adopted

**11:00 A.M. Mayor's presentation of the City of Fresno's fiscal year 2011-2012 budget**

**Action Taken:** Presentation made

## **SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED**

**1:30 P.M.      TEFRA HEARING** as required by Section 147(f) of the Internal Revenue Code of 1986 to hear and to consider information concerning the proposed issuance of revenue bonds by the California Statewide Communities Development Authority to finance the acquisition and rehabilitation of a 60-unit multifamily low income residential rental project, commonly known as Pleasant View Apartments – Finance Department

**Action Taken:** Held

- a. \* **RESOLUTION** - Approving the issuance, by the California Statewide Communities Development Authority of multifamily housing revenue bonds in the aggregate principal amount not to exceed \$6 million for the Pleasant View Apartments project

**Action Taken:** Resolution No. 2011-93 adopted

## **CLOSED SESSION**

**PLEASE NOTE: SCHEDULED AND UNSCHEDULED COMMUNICATIONS ARE NOT TIMED AND MAY BE HEARD ANY TIME DURING THE MEETING**

### **SCHEDULED COMMUNICATION –**

1. Appearance by Michael Jordan to introduce the “Say Yes! Drug-Free Neighborhoods” non-profit organization – Cancelled/to be rescheduled
2. Appearance by Barbara Hunt to discuss the 2025 General Plan, Southwest Fresno, and Edison District – Appearance made

**UNSCHEDULED COMMUNICATION –** Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk’s Office at least ten (10) days prior to the desired date. Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda.

## **SCHEDULED COUNCIL HEARINGS AND MATTERS**

May 26 -	10:00 A.M.	HEARING re: CFD No. 11, Annexation No. 42, Tract No. 5977 ( <i>Property located in District 6</i> )
June 2 -	NO MEETING – MEMORIAL DAY	
June 9 -	MEETING	8:30 A.M.
June 16 -	10:00 A.M.	HEARING re: CFD No. 11, Annexation 43, Tract No. 5838